

**CHAPTER 13 PLAN  
UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF MISSISSIPPI**

Debtor: **Benjamin Boyd Mitchell** SSN: XXX-XX-**2021** CASE NO. \_\_\_\_\_

Joint Debtor: **Jenefer Ruth Mitchell** SSN: XXX-XX-**6455** Median Income: \_\_\_\_\_ Above **XXX** Below  
Address: **224 Highway 98, Seminary, MS 39479**

**THIS PLAN DOES NOT ALLOW CLAIMS. Creditors must file a proof of claim to be paid under any plan that may be confirmed. The treatment of ALL secured and priority debts must be provided for in this plan.**

**PAYMENT AND LENGTH OF PLAN**

The plan period shall be for a period of **48** months, not to be less than 36 months for below-median income debtor(s), or less than 60 months for above-median income debtors(s).

- (B) Joint Debtor shall pay \$**254.00** monthly to the Chapter 13 Trustee. Unless otherwise ordered by the Court, an order directing payment shall be issued to Debtor's employer at the following address:

**Dolgencorp, LLC**  
**100 Mission Ridge**  
**Goodlettsville, TN 37072**

**PRIORITY CREDITORS. N/A**

**DOMESTIC SUPPORT OBLIGATION. N/A**

**HOME MORTGAGES. N/A**

**MORTGAGE CLAIMS TO BE PAID IN FULL OVER PLAN TERM. N/A**

**NON-MORTGAGE SECURED CLAIMS.** Creditors that have filed claims that are not disallowed are to retain lien(s) pursuant to 11 U.S.C. § 1325(a)(5)(B)(i)(I) until the payment of the debt determined as under non-bankruptcy law or discharge. Such creditors shall be paid as secured claimants the sum set out below or pursuant to other order of the Court. The portion of the claim not paid as secured shall be treated as a general unsecured claim.

<u>CREDITOR'S NAME</u>	<u>COLLATERAL</u>	<u>910* CLM</u>	<u>APPROX. AMT. OWED</u>	<u>VALUE</u>	<u>INT. RATE</u>	<u>PAY VALUE OR AMT. OWED</u>
<u><b>Security Nat Auto Acce</b></u>	<u><b>2008 Suzuki</b></u>	<u><b>NO</b></u>	<u><b>\$9,295.00</b></u>	<u><b>\$7,380.00</b></u>	<u><b>5%</b></u>	<u><b>Pay Value</b></u>
	<u><b>XL7</b></u>					

\* The column for "910 CLM" applies to both motor vehicles and "any other thing of value" as used in the "hanging paragraph" of 11 U.S.C. § 1325

**SPECIAL CLAIMANTS:** including, but not limited to, co-signed debts, abandonment of collateral, direct payments by Debtor, etc. For all abandoned collateral Debtor will pay \$0.00 on the secured portion of the debt. Where the proposal is for payment, creditor must file a proof of claim to receive proposed payment.

<u>CREDITOR'S NAME</u>	<u>COLLATERAL</u>	<u>APPROX. AMT. OWED</u>	<u>PROPOSED TREATMENT</u>
<u><b>Coastal Credit LLC</b></u>	<u><b>2005 Suzuki Verona</b></u>	<u><b>\$4,011.00</b></u>	<u><b>Surrender property &amp; treat as unsecured</b></u>
<u><b>Preferred Credit Inc</b></u>	<u><b>Kirby Vacuum</b></u>	<u><b>\$2,055.00</b></u>	<u><b>Surrender property &amp; treat as unsecured</b></u>

Debtor's Initials **BBM** Joint Debtor's Initials **JRM**

Chapter 13 Plan, Page 1 of 2

**STUDENT LOANS** which are not subject to discharge pursuant to 11 U.S.C. §§ 523(a)(8) and 1328(c) are as follows (such debts shall not be included in the general unsecured total):

<u>CREDITOR'S NAME</u>	<u>APPROX. AMT. OWED</u>	<u>CONTRACTUAL MO. PMT.</u>	<u>PROPOSED TREATMENT</u>
<b>Dept of Ed/Navient</b>	<b>\$75,001.00</b>	<b>\$362.00</b>	<b>Unsecured</b>
<b>Dept of Ed/Navient</b>	<b>\$ 6,393.00</b>	<b>\$ 73.00</b>	<b>Unsecured</b>
<b>Dept of Ed/Navient</b>	<b>\$ 6,359.00</b>	<b>\$Unknown</b>	<b>Unsecured</b>
<b>Dept of Ed/Navient</b>	<b>\$ 5,495.00</b>	<b>\$ 62.00</b>	<b>Unsecured</b>
<b>Dept of Ed/Navient</b>	<b>\$ 3,807.00</b>	<b>\$ 61.00</b>	<b>Unsecured</b>
<b>Dept of Ed/Navient</b>	<b>\$ 1,913.00</b>	<b>\$ 58.00</b>	<b>Unsecured</b>
<b>Dept of Edu/GLELSI</b>	<b>\$ 7,289.00</b>	<b>\$ 72.00</b>	<b>Unsecured</b>

**SPECIAL PROVISIONS** which may apply to any or all payments to be paid through the plan, including, but not limited to, adequate protection payments:

**GENERAL UNSECURED CLAIMS** total approximately **\$125,885.00**. Such claims must be ***timely filed*** and not disallowed to receive payment as follows: \_\_\_\_\_ IN FULL (100%), **0%**(percent) MINIMUM, or a total distribution of **\$0.00**, with the Trustee to determine the percentage distribution. ***Those general/unsecured claims not timely filed shall be paid nothing, absent order of the Court.***

Total attorney fee charged: **\$3,200.00**  
 Attorney fee previously paid: **\$ 0.00**  
 Attorney fee to be paid in plan: **\$3,200.00**

The payment of administrative costs and aforementioned attorney fees are to be paid pursuant to Court order and/or local rules.

Automobile Insurance Co./Agent

Attorney for Debtor (Name/Address/Phone/Email)  
**Paul B. Caston, MSB # 10086**  
**P.O. Box 1742**  
**Hattiesburg, MS 39403-1742**  
**Tel. 601-544-2516**  
**Fax. 601-544-2517**  
**E. [paulcaston@gmail.com](mailto:paulcaston@gmail.com)**

DATED: **July 7, 2015**

DEBTOR'S SIGNATURE **/s/ Benjamin Boyd Mitchell**

JOINT DEBTOR'S SIGNATURE **/s/ Jenefer Ruth Mitchell**

ATTORNEY'S SIGNATURE **/s/ Paul B. Caston**

Debtor's Initials **BBM** Joint Debtor's Initials **JRM**

Chapter 13 Plan, Page 2 of 2

Effective: October 1, 2011